

SLAPPED IN THE FACE.

MAHONE OFFERS A REWARD FOR HIS ASSAILANT.

Mr. Long, of Petersburg, says he is the party, but it was an accident. The terrible story of persecution narrated by the Mahone men—Further Returns from the Poles.

PETERSBURG, Va., November 8.—The Index-Appel to day publishes a communication from William Long, tobaccoist of this city, to the effect that he is the man who struck Senator Mahone at the polls on Tuesday, during a disturbance. Mr. Long states that he saw General Mahone and his son Butler alight from their carriage and go directly to the polls. At that moment a difficulty occurred about a democratic negro voting, which caused great confusion and threatened a serious riot. At this time a pistol was drawn and held up to the crowd as having been taken from General Mahone. Long being pressed by the crowd at this moment, raised his hands to clear himself of the throng, and as he did so some one struck him violently on the right hand, which caused it to strike General Mahone lightly on the face, Long says he hopes he did the general no serious harm. He had no intention or desire to do him personal injury, and as to his offer of one hundred dollars to know "the second or assassin who struck him," he (Long) is the responsible party, and he hopes this statement will be satisfactory.

About 4 o'clock Mahone visited the poll in his own ward, in company with his son Butler. An altercation was in progress between a readjuster challenger and a funder as it was, whose vote was bought by a funder as the party drove up. Observing that there was imminent danger of a collision, the general sprang from his carriage, declaring that there must be order, peace and fair play. The general was instantly surrounded by a crowd of angry men, and considerable ugly talk was indulged in. The crowd pressed closer upon him, and threats of violence were uttered. The situation became critical, and there was every promise of a serious row. Butler Mahone jumped from his father's side, and made an effort to draw his pistol. Instantly the weapon was wrested from his hand, and a dozen men felt for their hip-pockets. General Mahone endeavored to come to the relief of his son, and was seemingly receiving pretty rough treatment, but he was powerless in the hands of the mob. Some cowardly wretch made a pass at the general, which he dodged or he would have received a stinging blow in the face. As it was, he was only struck lightly. The general did not know who struck him. Suddenly the tempest subsided, but it was a marvel that no blood was shed. Nearly every man in the crowd was armed, and the crack of a pistol would have been a signal for a general volley from both sides.

A negro had been hanging about the polls all day undecided as to which way he would vote, but was finally induced to vote the democratic ticket. When he went up to vote a coalition challenger said: "You have no business to vote, for your father was a white man." This brought on a dispute between the challenger and the negro, during which Mahone came up and said he had come to see fair play. "You are a pretty fellow to talk of fair play," said an old gentleman. Hot words followed and Mahone was heard to say, "I've got a stick and a gun, and I'll show you son of a bitch, and finally drew a pistol which was taken from him. By this time the excitement was intense, and but for a conservative man in the crowd who stood in front of Mahone and begged the crowd to stop, it is more than probable that he would have been shot. Butler Mahone, was before the mayor to-day to answer the charge of carrying a concealed pistol and drawing the same. He was fined \$15. The mayor took occasion to say to the crowd, "I'll tell you the courtroom that the election was conducted more quietly than there was reason to expect."

THE DEMOCRATIC FIGURES INCREASE. RICHMOND, Va., November 8.—As returns continue to come in, the democratic gains increase. Reports from all senatorial districts except two give the democrats 23 senators and the coalitionists 15. The two districts not fully reported are the second, composed of the counties of Shenandoah and Loudoun, and the sixth, composed of Carroll, Grayson and Floyd counties. Fragmentary returns from both of these districts show democratic gains, which if continued at the points not yet heard from, will be mounting up. The third district, in the house the democrats have thus far secured 63 members and the coalitionists 33. Of the four remaining delegates the democrats have one certain, which will make their majority in the house 28 and on joint ballot not less than 35. The popular majority in the state is likely to reach 30,000.

BUTLER NOT DEAD.

He Proposes to Reappear in Gray Colors at the Next Election.

BOSTON, November 8.—The Herald states that Governor Butler told the members of his council yesterday that he should again run for the office of governor next fall. The compliment of 150,000 votes leads him to think that he will be successful. The total state vote, with Gosnell still missing, is Robinson 190,145; Butler, 150,074; Almy, 1,563; Scattering, 80. Total, 341,882. Essex county returns a solid democratic vote. The democratic ticket there will stand 25 republicans and 15 democrats, a gain of 2 republicans.

BUTLER'S REASONS.

PITTSBURG, November 8.—The Commercial-Gazette, this evening, telegraphed General B. F. Butler for his views on the result in Massachusetts and asking for his programme for the future. The following characteristic reply was received: To the editors of the Pittsburg Commercial-Gazette: An answer to your questions is easy as to the cause of the result in Massachusetts. Last year, I had one hundred and thirty-four thousand votes. The largest vote ever polled was in the Garfield election of 1880. Garfield received 165,000; Hancock, 112,000; total, 277,000. This year the vote is 313,000, of which I have 152,000. This enormous increase has been caused by the freest use of money, fraud and corruption of all kinds. More votes have been cast than will be in the next presidential year. The 8,000 or 9,000 plurality of my opponent was more than lost in the city of Boston. Massachusetts, therefore, surely does not make another state canvass without further gain. When a man has increased the democratic vote from 12,000 to 152,000 in three years, there is any need of an answer to your question what my programme will be? I am pleased with the result; had rather have my vote than to be elected by 135,000. In that case, it would then be said that Massachusetts is a republican state. She has a large reserve vote which in a presidential election will come out. Now, we have had them all out and measured them, and in the next presidential election, with a judicious platform and popular nominations, will at least we should keep all republican men and money at home to take care of Butler, instead of sending both to Ohio and Indiana to corrupt those states.

MINNESOTA.

ST. PAUL, Minn., November 7.—Official returns from six counties, partial returns and

estimates from fifty counties, and estimates based upon the election of two years ago from the remaining ten counties, give Hubbard 14,000 majority, and the remainder of the republican ticket about 17,000 majority. The official count will not vary much from these figures.

MISSISSIPPI.

JACKSON, Miss., November 8.—The election returns are nearly all in. The joint registration will stand 130 democrats to 25 republicans and independents. The democrats elected 11 out of 12 district attorneys. The disturbance in Copiah county is the only one reported in the state on election day.

NEBRASKA.

OMAHA, Neb., November 8.—The revised returns confirm the previous estimate that Reese, republican candidate for supreme judge, was elected by less than five thousand majority. The indications are that he may have less than two thousand. Savage, democrat and anti-monopolist, has over fifteen hundred majority in this, Douglas county.

THE VOTE IN NEW YORK.

The Characteristics of the Ballot Explained by the Press.

ALBANY, November 8.—The Evening Journal says General Carr's majority is over 19,000, and there is little doubt that the democratic candidates for the remaining offices are western part of the state, but probably pulls through. Russell, republican, for attorney general, leads Carr and the rest in northern New York, but not enough to put him ahead of Dennis O'Brien, democrat nominee. Chairman Daniel Manning, of the democratic state committee, telegraphed that the chief feature of the election has been the cutting of Maynard the democratic candidate for secretary of state in New York and Brooklyn by the liquor interest, and in the large cities in the western part of the state through other causes. According to our latest reports, the state ticket is elected by about 10,000 majority, except secretary of state, who is defeated by 15,000. The legislature is republican. The senate stands nineteen republicans and thirteen democrats; the assembly, seventy-two republicans, fifty-six democrats. The total vote for mayor of Brooklyn exceeds that cast for the state ticket by nearly 1,000. Lowe's majority is 1,688. The Tribune estimates that the republican candidates on the state ticket apparently lack only from 4,000 to 6,000 of election. It says that the senate stands 19 republicans, 13 democrats; house 74 republicans, 43 democrats.

DISSENTED FROM REAL VOTING.

POUGHKEEPSIE, N. Y., November 8.—There is much excitement in Dutchess county owing to the many arrests since Tuesday of persons charged with bribery and fraud. Among the warrants sworn out to-day was one for Warden A. A. Brush, of Sing Sing prison, and another for Wesley Van Tassel, New York custom house officer.

THE BUZZARD GANG.

A Burglary, and the Pursuit of the Thieves—A Runaway.

LANCASTER, Pa., November 8.—The Colling-store, at Lincoln, this county, was robbed last night. Early this morning a large posse of men, including the sheriff, started in pursuit of the thieves, supposed to be Buzzard and his gang, a notorious band of thieves, a number of whom, with Buzzard, recently escaped from Lancaster jail. They came upon the thieves near the edge of Welsh mountain, and a running fight ensued, over fifteen shots being fired on both sides. John Clifford, of the escaped prisoners, was captured; Abe Buzzard, leader, was shot and is supposed to have been seriously injured, from the blood lost on his track. A young man named Bord, one of the pursuing party, was shot in the face and neck, and seriously, perhaps fatally, injured. The remaining thieves succeeded in getting into the mountains and eluding capture for the time being, but as the whole country is being scoured with armed men their capture is considered a matter of a short time only. Clifford was lodged in jail to-night. He states that the thieves had been in the vicinity of Welsh mountain, Clifford, at the time of his arrest, made a narrow escape from being lynched, owing to the shooting of young Ward. Ropes were provided, but cooler heads dissuaded the mob from proceeding to do to-night by a large posse, and it is believed to be impossible for any of the thieves to escape. Clifford revealed the hiding place of a large amount of stolen goods which have been recovered.

BUSINESS DEVELOPMENTS.

Morris Renger's Had Break—The Assignment of Charles E. Leland.

LIVERPOOL, November 8.—The Mercury says that the dividends to the creditors of Morris Renger, cotton broker, from his assets will be very small. Thirty of the largest cotton firms in this city have given their assent to the scheme of a fortnightly settlement. Payments of set contracts are proceeding rapidly.

ALBANY, N. Y., November 8.—Charles E. Leland, formerly proprietor of the Delevan house, and latterly of the Brighton beach hotel, made a general assignment to Chas. J. Buchanan, liabilities and assets unknown.

NEW YORK, November 8.—J. S. Cohen and Company, fur dealers, 552 Broadway, assigned to-day to Samuel P. Hyman, giving preference amounting to \$31,207.

CHICAGO, November 8.—It is stated here that a large proportion of the sawmills on the east shore of Lake Michigan will shut down within a week. This action is caused by the low price of lumber and the fact that the sawing season has already been as long as usual. The closing of the mills will practically close navigation, as it will leave vessels with little to do.

PARIS, November 8.—The weekly statement of the bank of France shows a decrease of 200,000 francs gold and 2,144,000 francs silver.

THE DAY'S SPORTS.

The Events on Brighton Beach—The Liverpool Autumn Cup.

NEW YORK, November 8.—First race at Brighton beach to-day, purse \$250 for maidens of all ages, one and three-fourth miles. Harpoeur won, Riddle second, Tea Rose third; time 1:18 1/2. The second race, purse \$250 for three-year-olds, selling allowance, three-fourth mile. Maudie won, Maury second, Shelby Barnes third; time 1:15 1/2. The third race, \$250 for four-year-olds and over, one and eighth mile, Dizzy Blonde won, Clarence second, Garfield third; time 1:58 1/2. The fourth race, purse \$250, for all ages, one and three-eighths mile, Hartford won, Harry Mann second, Minter third; time 2:29 1/2. The fifth race, purse \$250, for all ages, welter weights, one mile, Mike's Pride won, Tennyson second, Treasurer third; time 1:46 1/4.

At the Liverpool autumn cup, won by Boswell, Tonans was second, and Springbok third. There were ten starters, including F. F. Walton's bay horse, Pickwick.

FOUR MEN HURLED.

LONDON, November 8.—An explosion occurred to-day in the Trobbie Colliery in Ayrshire, Scotland, by which four men were severely burned.

NELLIE BAILEYS' LOVERS.

THE STRANGE STORY OF A YOUNG WOMAN'S LIFE.

Her Career at the Head of a "Maniac Lover's" Coma—Marrying Men Because She Thought They Were Rich, and Then Disposing of Them Summarily.

WAUKESHA, Wis., November 8.—Nellie Bailey, who murdered Banker Bothemly in Indian Territory, is a remarkable woman who seems to be one of those bonanza women who can be satisfied only by great wealth and who have the recklessness and daring to carry out any scheme to attain an object. Her residence here for a time, and the suit for divorce by Robert Reese, the Waukesha young man to whom she was married, have made the matter a subject of great interest. Up to about eleven years ago, when they went to Newton, Kansas, her people lived in Rockford, Ill., where she has relatives to-day who occupy good positions in society.

"Nellie," said Mrs. George Sweet, "was always a witchcat. She is my own cousin. I had not seen her since she was five years old until she came here February 5 last. She had been in Newark, N. J., and wrote me she would pay me a visit. She claims to be twenty-two years old, but she is really twenty-five. She told me she was married three years to a man named Bailey, a Kansas banker, who was then in the Black Hills looking after his mining interests. One of her first moves after she arrived here was to attempt to form a theatrical troupe. She said they would go to the Black Hills and make a fortune. There were no women on the troupe, I believe, was 'The Maniac Lover.' They practiced six or seven weeks. In this way her acquaintance with young Reese began. He was here every day and night. I remonstrated with her, but she declared she was getting a divorce from Bailey. She told me Reese was rich. 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THE SUPREME COURT

DECISIONS RENDERED THURSDAY, NOVEMBER 8, 1883.

See Jones Jackson, Chief Justice; Hays, Bagwell, Hall and M. E. Blair, Associate Justices. Reported for the Constitution by J. H. Lumpkin, Supreme Court Reporter.

Central railroad vs. De Bray and vice versa. Cause from Pike. Railroads. Damages. Negligence. Master and Servant. Venue. Witness. Evidence. Charge of Court.

(Before Judge Brannan.)

Blairford, J.—In a suit by an employee of a railroad against the company, the evidence showed as follows: Plaintiff was employed as a special or extra train hand on the night train between A. and M., his business being to put on and off brakes and to couple and uncouple cars. On the night of the accident the train was being made up by picking up such cars along the route as were to be carried to M. When approaching B., a way station, at a speed of from four to six miles per hour, the conductor directed plaintiff to get off with him and go to the side track near depot at B., on which there were several cars, for the purpose of coupling them to the train when it should be backed; the conductor got off in safety; plaintiff used the lamp which he had and lit the track carefully, but in alighting, his feet came in contact with two pieces of timber known as "skids," which were used by defendant in loading and unloading freight cars, and were lying crosswise on the roadway; the timber on which his feet rested turned him over against the moving train and causing him to be seriously injured.

Held, that a verdict for the plaintiff was not contrary to law or evidence.

(a) The conductor of the corporation; he had charge and command of the train; it was not the fault of plaintiff in obeying the order to alight; the company cannot set up the wrongful act of itself or agent to excuse itself from liability to one who merely obeys an order of the company.

(b) The plaintiff used all reasonable care and skill in getting from the train; and though one may be a train hand in the employment of a railroad, if he is injured without fault on the part of the negligence and carelessness of other agents of the company, he may recover therefor. 63 Ga., 179.

2. The defendant filed no plea to the jurisdiction of the court and no issue was therefore made as to the venue. If it is otherwise, the testimony shows that the injury was done at Barnesville, near the depot; and this court will take judicial cognizance of the fact that Barnesville is in Pike county.

3. There was no error in rejecting the testimony of a witness that "any person who is an ordinary car could have gotten off over where plaintiff did without being hurt." This was a conclusion which the jury might find, but was not for the witness to state. 36 Barb., 201; 36 Iowa, 36, 473; 73 Ill., 21, 121 Mass., 446.

4. It was proper to reject the testimony of witnesses that if one obeys the order of a conductor and gets off a moving train "he does it at his own risk." Witnesses must testify to facts; the court will give the law. 8 Allen, 441.

5. The seventh ground of the motion is covered by the third head note above.

6. Where a witness testified that he did not know what the rules of the company were, but proposed to state that formerly he was an officer of the company, and that no conductor or other officer had the right to order an employee to get on or off a moving train, and that if such order were given, the employee would not be required to obey it, such testimony was properly rejected.

(a) Moreover this testimony was irrelevant and immaterial. Wylie et al. vs. Gazan, September term, 1882.

7. It is not matter for expert testimony to show that no railroad employee is required to get on and off a train while in motion; that neither the conductor nor any other officer can require an employee to get on and off a moving train, and that if such order is given, the employee is not required to obey it.

(b) Whether or not the conductor had the right to give the order or the plaintiff was required to obey it, the former did give the order and the latter obeyed it; the facts of the act of the conductor was that of the corporation, and the latter cannot escape responsibility on account of its own wrong.

(c) Whether it be the fault of an employee to obey an order of his superior depends upon whether it would be rash and dangerous to do so, and where there was no apparent danger in so doing, it would not be fault on his part. W. & A. R. R. vs. Wilson, present term; 36 Barb., 201; Code, §3868.

8. The opinion of a witness as to matters of fact is not admissible in evidence. 40 Iowa, 47.

9. Where plaintiff, a man of twenty-three years of age, was greatly wounded and bruised, suffering great pain for a long time, and being compelled to give his right hand amputated above the wrist, a verdict of \$4,700 was not only not excessive, but was quite moderate. Code, §2947, 3067; 24 Ga., 399; 10 Ga., 37; 30 Id., 146.

10. The verdict is contrary to the charge of the court containing the law of the case.

No. 11. Where a principle of law has been given in the general charge as favorably to the excepting party as it could expect, a failure to give the principle when requested by the subsequent request will not work a new trial.

(a) We adopt the opinion of Jackson, J., in Central Railroad vs. Mitchell, 63 Ga., 181, that if the damage was caused by a master employee, and was not caused by the fault or negligence of the employee hurt, then he may recover. 50 Ga., 196, 645.

12. The court is not bound to give a request in charge when the same point has been covered by his charge, nor should he give a charge a request not warranted by the facts in the case.

(a) A request which assumed that the order of the conductor was unlawful, and that the plaintiff knew it, neither of which appeared from the evidence, was properly refused. 56 Ga., 196; 37 Mich., 485.

13. The nineteenth ground is covered by the twelfth head note above. 42 Wis., 583; 29 Ia., 14.

14. There was no error in refusing to charge that "if to do a freight business it is necessary to use a pair of short 'skids' for the hauling of freight and it was necessary for the proper handling of freight to keep the 'skids' between the main and side tracks, and the 'skids' were kept for such purpose in a usual and customary place, the plaintiff cannot recover." If the injury resulted from the carelessness and negligence of defendant's agents in leaving these "skids" on the road way, it could make no difference whether such negligence had become usual or customary. This point was fully covered by the general charge. 63 Ga., 181.

15. There was no error in refusing to charge that "if among different modes of performing his duty, some of which were said to be chosen one which was less safe, he took the risk of his choice and could not recover; and in charging instead, that this was a circumstance for the jury to consider with the other facts in deciding whether the plaintiff was at fault or not." The question of fault or negligence was for the jury alone, and was fairly submitted to them. So Law Rev. vol. 5, p. 831.

16. The twenty-second ground is covered by the fourteenth head note.

17. There was no error in charging that if "skids" or planks were placed on or near the track of defendant's road when the injury occurred, and they occasioned the injury to plaintiff while in obedience to orders, and without fault or negligence on his part, the company would be liable. This, in connection with the general charge, was the law of the case. 63 Ga., 173.

18. The charge embraced in the twenty-fourth ground was right as already held. 37 Mich., 205.

19. If the plaintiff has shown the defendant to have been negligent, to defeat a recovery, it must be shown that he was likewise negligent or at fault. 56 Ga., 586; 58 Id., 197, 485.

20. So long as plaintiff has shown injury to himself, without fault on his part, it would be incumbent on defendant to show that the injury did not result from the want of ordinary and reasonable care and diligence on the part of its servants and agents. 56 Ga., 586; 58 Id., 197, 485.

21. The charge complained of in the twenty-seventh ground was warranted by the evidence.

22. As no special damages were found by the jury and as the verdict is such as to warrant the conclusion that no such damages entered into the same, the defendant was not hurt by a charge on that subject.

23. The charge as a whole is unexceptionable, and the parts excepted to, when taken in connection with the whole, constitute no grounds of error. 63 Ga., 180; 370, 693; 84 Ill., 169; Atlanta Cotton Factory vs. Speer, Sept. term, 1882, 51 Ga., 582; 2 Thompson, 985; 8 Allen, 441; Pierce, Ann. R'y law, 377; Reporter, Vol. 13, No. 12, p. 383; 4 Wis., 477; 42 Id., 381; 43 Id., 50.

24. The judgment being sustained, the cross bill of exceptions is dismissed.

Judgment affirmed.

A. R. Lawton; John I. Hall; J. J. Hunt, for the Central Railroad.

Harrison & Peoples; J. F. Redding, contra.

Abercrombie et al. vs. Butts, administrator, et al. Equity, from Upson. Statute of Limitations. Written Instruments.

(Before B. A. Denmark, Esq., Judge pro hac vice.)

[Hall, Justice, being disqualified, did not preside in this case.]

Blairford, J.—A daughter left certain property with the defendant, consisting of land with remainder to her children; the husband of the daughter was his executor; after his death a bill was filed by the children to recover the property.

The bill was dismissed by the statute of limitations unless saved by the following paper in the handwriting of the deceased husband, which was found among his papers after his death: "January, 1876, Nancy H. Trice (the wife) received from her father's estate \$7,100, to be divided equally between her children; each one's share, \$550.77. Pay out of J. Trice's (the husband's) estate, January, 1876. Aggregate amount for thirteen children \$30,100.10." This was assigned to the defendant in the bill.

The will of the deceased husband, was the following entry: "For Nancy Trice's children."

Held, that this was not sufficient to relieve the bar of the statute of limitations.

(a) An acknowledgment, to relieve the bar of the statute of limitations, must be made known to some person. A mere private memorandum, unsigned and found after the death of the maker, is not sufficient.

(b) The paper indicates that the sums are to be paid out of the estate of the writer, and not out of the estate of the deceased husband; but as such, it is insufficient for want of proper execution. 70 Mo., 138; 6 Cush., 150; Code, sec. 2939.

2. The use for life died in 1857, and the right of action to the remainder accrued; the youngest must have become of age by 1878; allowing the same time for them to bring suit after becoming of age as if they had been of age when the act of 1859 was passed, viz: nine months and fifteen days, the bill brought by them in 1880 was barred. 55 Ga., 87.

Judgment affirmed.

John I. Hall, for plaintiffs in error.

M. H. Sandwich; J. A. Cotten; A. M. Seay; J. H. Hall, for defendants.

Pitts vs. Allen. Complaint, from Pike. Contracts. Evidence. Promissory Notes. Public Policy.

(Before Judge Harris.)

Blairford, J.—If one person contracts to serve another for a certain sum of money, and at the same time stipulates that if he should die before the expiration of the term of service, he should receive nothing for his services, this would be a contract founded upon a sufficient consideration and would be legally binding upon both parties; and if the party who was to render the services should die before the expiration of the term, his legal representatives would not be entitled to recover anything. Such a contract of service would furnish a good consideration for a promissory note given by the hirer.

2. Where the consideration expressed in a promissory note was "for value received," in a suit thereon the defendant might plead and prove by parol that the consideration was a contract of hiring which had failed according to its own terms by reason of the death of the hirer, and that the consideration was stated in the note.

(a) The expression, "value received" is a patent ambiguity and it may be explained and failure of consideration shown by parol. Code, §2880, 2757; 21 Ga., 526; 18 Id., 44.

(b) The cases in 43 Ga., 190; 69 Id., 138; 68 Id., 821, discussed and harmonized with the present case, and the last case overruled in so far as it may conflict with the present decision.

3. The plaintiff hired a person of full age to the defendant and received from him the note in suit for the services of the person so hired. This was an illegal transaction, and the note so given was void as being contrary to public policy and in violation of the thirty-third amendment to the constitution of the United States and of par. 17 of the bill of rights in the constitution of Georgia.

Judgment affirmed.

E. Womack; N. M. Collins; F. D. Dismuke, for plaintiff in error.

J. M. Smith; John I. Hall; J. J. Hunt, for defendant.

Condor vs. Hollenback & Ballard, and vice versa. Claim from Campbell. Judgments. Liens. Sales. Contracts. Records. Practice. Evidence. Charge of Court.

(Before Judge Harris.)

Blairford, J.—Where one made a conditional sale of personal property retaining the title in himself to secure the purchase money, a failure to record the contract would not render the sale void, but the contract would be unenforceable against the vendor to a judgment which had been rendered in favor of a third party against the vendee of the property prior to the making of the sale. As to such a judgment, the creditor's failure to record the contract of sale was immaterial.

2. The judgment being affirmed, the cross bill is dismissed.

Judgment affirmed.

P. H. Brewster; Ross & Rosser, for Condor.

R. M. Holley, contra.

Savannah, Griffin and North Alabama Railroad vs. Shell. Certiorari, from Coweta. Justice Courts. Certiorari.

(Before Judge Harris.)

Blairford, J.—A party applying for a writ of certiorari from a justice's court is required to produce a certificate from the justice that all costs which have been assessed on the trial below have been paid. This requirement is not met by producing a bill containing certain items of cost and a receipt showing that such items bill has been paid, but not showing that all the costs have been paid. Code Sec. 450; Osborne vs. Osborne, February term, 1883.

Judgment affirmed.

W. L. Waterson, for plaintiff in error.

McLendon & Freeman, by P. H. Brewster, for defendant.

Summers, ordinary, vs. Christian et al. Complaint, from Newton. Tax. Actions.

(Before Judge Stewart.)

Blairford, J.—Section 897 of the Code provides that the owner of real estate from the sale of unreturned property for taxes shall be paid to the ordinary as a part of the educational fund, subject to the claim of the true owner within four years. In the present case the action was brought by the purchaser of the property, but it did not appear what right they had to recover such surplus, whether

by assignment from the true owner or otherwise.

(a) It may be that the persons having charge of the disbursement of the educational fund might maintain an action against the ordinary, without fault on his part, if it would be incumbent on defendant to show that the injury did not result from the want of ordinary and reasonable care and diligence on the part of its servants and agents. 56 Ga., 586; 58 Id., 197, 485.

Judgment reversed.

Simms & Simms, for plaintiff in error.

Clark & Pace, by brief, for defendant.

Bryant vs. Mabry. Claim from Rockdale. Certiorari.

(Before Judge Stewart.)

Blairford, J.—A notice that "I have applied for and issued the writ of certiorari returned to the next term" etc. is not a sufficient compliance with the requirement of sec. 4039 of the Code that notice shall be given of the sanction of the writ of certiorari. 65 Ga., 523.

(a) In 67 Ga., 515, the case was different. There the notice showed that the court had taken action upon the petition and had granted the writ. This does not appear here.

Judgment affirmed.

A. C. Perry, by brief, for plaintiff in error.

Geo. W. Gleason, by brief, for defendant.

Sterling, administrator, vs. Sims, Complaint, from Troup. Husband and Wife. Administrators and Executors. Title. Choses in Action.

(Before Judge Harris.)

Blairford, J.—A chose in possession is where a person has not only the right to enjoy, but also the actual enjoyment of the thing; a chose in action includes all rights to personal property not in possession, which may be enforced by action; demands arising out of torts as well as contracts. It is sometimes known as the right of bringing an action. 1 Abb., 102; 227; 7 Barb., 408; 9 Id., 290; 19 Wend., 79; 43 Wis., 32; 14 S. C., 538; 4 Denio, 82.

2. The right of an heir to have her interest in the estate of her deceased ancestor in the hands of his administrator, is a chose in action and not a chose in possession; and where the same was in the wife prior to 1860, if her husband died before reducing the same to possession, the right survived to the wife.

(a) The wife, who prior to 1860 an intestate died leaving a married daughter as one of his heirs and dower was assigned to his widow, the reversion of the land set apart to her was in the estate, and after this widow died and the land was sold by the administrator, converted into money, the right to have this money was a chose in action; and the husband of the married daughter having failed to reduce it to possession before his death, the right survived to her to the exclusion of his creditors or heirs at law. 3 Ga., 341; 2 B. Com., 251; Clan, Husband and Wife, 100; 2 Brock, 287.

(b) It made no difference that the wife's interest in her deceased ancestor's estate was in land. The act of 1789 places realty and personally upon the same footing as to the marital rights of the husband and as to the distribution of the estates of intestates. Princes, Dig., 225.

(c) This case differs from those in 29 Ga., 58; 32 Id., 321; 44 Id., 593; 31 Id., 40.

Judgment affirmed.

A. H. Cox, for plaintiff in error.

F. M. Longley, for defendant.

West vs. Atlanta and West Point Railroad. Case, from Coweta. New Trial.

(Before Judge Harris.)

Blairford, J.—The first grant of a new trial will not be disturbed unless the verdict was demanded by the evidence and the court below abused the legal discretion given him by law, in making such grant; such was not the case here. 56 Ga., 398; 6 Id., 31, 222; 60 Id., 120, 154, 594.

Judgment affirmed.

W. A. Post; R. S. Burch; P. F. Smith, for plaintiff in error.

P. H. Brewster; J. S. Bigby, by brief, for defendant.

The supreme court adopted the following: Rule.—No motion to dismiss a writ of error will be considered unless notice of said motion and of the grounds thereof in writing be given to the counsel for plaintiff in error twenty-four hours before the case is called for argument. If, because of the absence of counsel for plaintiff in error, such notice cannot be given, the motion will be entertained, and such direction in reference thereto will be given as in discretion of the court may seem proper.

MADE A NEW MAN OF HIM.

"Yes," said a gentleman, when talking to an acquaintance recently about a subject that was of great importance to him; "I was troubled for a long time with a combination of disorders that threatened to prove serious, but by a lucky stroke I procured a medicine that commenced at the root of the disease, and to-day I am as well as any man you can find in this shop."

The above conversation took place recently between Mr. George Karg, a machinist, employed by Messrs. Cooper & Jones, at 1188 Ridge avenue, Philadelphia, Pa., and a casual friend.

Continuing, Mr. K. said: "My disease started when I was quite a young lad by having weak kidneys. As I became older I used to drink a good deal of lager beer; in time, I found it did not agree with me, it having a tendency to make my complaint worse.

"As my trouble began to increase I looked about for a cure. I applied to two different physicians, they both untiring in telling me the same thing, that my kidneys were affected to an alarming degree. Each in turn prescribed for me without giving any material aid. Finding, if I ever hoped to get any better, I must look elsewhere for a means of deliverance, upon inquiring thoroughly I found an article, Hunt's Remedy, that was much sought after and extensively used. I procured a bottle of a druggist in our neighborhood, Mr. Trotter, 672 N. Tenth street, and began using it.

"Finding it was doing me good almost from the first, I continued its use, and my troubles began to disappear.

"It is now six weeks since I began using it. In that time I have just six bottles, and I solemnly proclaim 'I feel like a new man.' My back is more solid than the 'trade dollar'; appetite is good; in fact, I am better every day.

"Previous to the use of this medicine, when urinating, I suffered somewhat from a prickly, scalding, burning sensation. I am happy to say I am rid of all this and much better than in years past. I can recommend Hunt's Remedy as a truly good medicine and one that should be in every household."

Mr. Joel Mann, of New Haven, Connecticut, writes June 25, 1883: "I have been confined for ten or eleven months with painful diseases, and attribute my relief from pain to the use of Hunt's Remedy.

After using one bottle I was relieved of a long-continued pain in my back and hips; my digestion was much improved, and my strength returned, and I can fully recommend Hunt's Remedy to all the afflicted."

Six men were shot in Montana recently during one week while attempting to jump claims.

An effective medicine for kidney diseases, low fevers and nervous prostration, and well worthy of a trial, is Brown's Iron Bitters.

Charles Delmonico, the New York caterer, is improving in mental and physical health.

All poisonous matter is carried off from the system by Samaritan Nerve. \$1.50.

Though brevity is still quoted as the soul of wit, exaggeration seems to be the salvation of humor.

"Mother Swan's Worm Syrup." Infallible, tasteless, harmless, cathartic; for fever, shivers, restlessness, worms, constipation, &c.

There is no torture that a woman would not suffer to enhance her beauty.—Montaigne.

If your complaint is want of appetite, try half a wineglass of ANGSTUR'S BITTERS half an hour before dinner. Beware of counterfeits. Ask your grocer or druggist for the genuine article, manufactured by Dr. J. C. S. S. & Sons.

Loss and Gain.

CHAPTER I.

"I was taken sick a year ago With bilious fever."

"My doctor pronounced me cured, but I got sick again with terrible pains in my back and sides, and I got so bad I could not move!"

From 225 lbs. to 120! I had been doctoring for my liver, but it did me no good. I did not expect to live more than three months. I began to use Hop Bitters. Directly my appetite returned, my pains left me, my entire system seemed renewed as if by magic, and after using several bottles I am not only as sound as a sovereign but weigh more than I did before. To Hop Bitters I owe my life!"

Dublin, June 6, '81.

"I feel better."

"The first bottle 'Early cured me.'"

"The second made me as well and strong as when a child."

"And I have been so to this day."

My husband and I are an invalid for twenty years with a serious

"Kidney, liver and urinary complaint, 'Pronounced by Boston's best physicians—'Incurable.'"

Seven bottles of your Bitters cured him and I know of the

"Lived eight persons!"

In my neighborhood that have been saved by your Bitters.

And many more are using them with great benefit.

"They almost 'Do miracles!'"

—Mrs. E. D. SLACK.

How to Get Sick.—Expose yourself day and night; eat too much without exercise; work too hard without rest; doctor all the time; take all the vile nostrums advertised, and then you will want to know how to get well, while it is answered in three words—Take Hop Bitters!

THE Policy of BEST Insurance AGAINST BEST Accidents

IS

P-D-P-K

which is to say,

Perry Davis's Pain Killer

Captain Chas. Allen, of Worcester (Mass.) writes: "I was taken sick a year ago With bilious fever."

"My doctor pronounced me cured, but I got sick again with terrible pains in my back and sides, and I got so bad I could not move!"

From 225 lbs. to 120! I had been doctoring for my liver, but it did me no good. I did not expect to live more than three months. I began to use Hop Bitters. Directly my appetite returned, my pains left me, my entire system seemed renewed as if by magic, and after using several bottles I am not only as sound as a sovereign but weigh more than I did before. To Hop Bitters I owe my life!"

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TLANTA, GEORGIA.

THE CONSTITUTION,
Atlanta, Georgia.

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M - A - P - I

A MAP OF GEORGIA.

ATLANTA, GA., NOVEMBER 9, 1883.

the man. He is a convert from Hinduism, and the apostle of a church or sect known as the "Brahmo Samaj" of India." The sect really owes its origin to Ram Mohan Rai in 1830, but the new apostle has given it a wonderful impetus. The new sect believe in a supreme God, but not in the divinity of Christ. It professes to call truth from the Bible, the Reg Veda, the Pitakas, and the Koran. Why, they say, can not Hindu, Buddhist, Christian and Mohammedan become a unity in the Samaj? The Brahmo Samaj proposes to absorb all other reli-

MR. CLEVELAND IS NOT A healthy man in the neighborhood of the hat as your Uncle Sammy fiden.

TEXAS HAS AN ugly question as to the rights of pasture. The law seems to be defective in this matter. While some persons contend that range and water should be free others are clamoring for an act to make fence cutting a felony. The courts are full of suits arising from alleged depredations, and in

A VALUABLE vein of iron has been discovered on the place of James Friklin, of Warren, Va.

The electric light has been successfully introduced in Little Rock, Ark. Every one is charmed with it.

THE moss crop of Florida is worth more than the cotton, and can be put on the market with very little expense.

THE scarcity of cistern water in Charleston

THE ATLANTA CONSTITUTION is really the mouth-piece of the people of Georgia on the tariff question. In this matter it advocates that which is for the good of the people of this great country.

Land Scrip Issued.

WASHINGTON, November 8.—The commissioner of the general land office to-day issued scrip for 20,000 acres of public land in satisfaction of the Arredondo grant. This scrip can only be located upon lands in the state of Florida.

Of the happier days of the past.
And here came the message, more fleet than the
O'er the wandering, wavering wire,
That filled us with grief, or that thrilled us with
As we peacefully sat around the fire:
Oh, the old station house! it will soon tumble
down,
Its timbers are crumbling away,
But its record is writ on the heart of the town,
And its glory abideth for aye.
—Toledo Blade.

THE RAILROADS.

CROSS-TIE GOSSIP IN AND OUT OF ATLANTA RAILROAD CIRCLES.

The Railroads Conforming to the New Time-Table Made by a Savannah Steamship-South-ern Freight Lines-The Walton Road.

ONE WEEK from tomorrow Atlanta and Birmingham will be joined together by the iron bands of the Georgia Pacific.

It is rumored that Major John W. Greene, general manager of the Georgia railroad, will be elected a director of the West Point railroad in place of L. M. Hill, deceased.

The Railway and Steamship Gazette is a monthly publication issued by Alex S. Thwaitt, of Atlanta. It contains a variety of reading matter and valuable railroad information.

Mr. C. B. Gray, late general passenger and ticket agent has severed his connection with the Houston and Texas Central railroad. Captain A. Faulkner has been assigned to duty as his successor.

The railroads in Atlanta except the Air Line are setting their time gradually back so as to be ready for the change which will go into effect one week from next Sunday. As the Air-Line will use red line instead of blue line it will have to run forward something over half an hour faster than its present time.

The Best Time on Record.

A telegram to D. W. Apple, general agent of the Central railroad in this city, was received yesterday announcing that the City of Augusta arrived in Savannah from New York yesterday afternoon at 3:45, having made the trip in forty-eight hours.

The vessels of the Ocean Steamship Company have been making the trip between New York and Savannah very fast this year, but the City of Augusta lowers the record by this performance. She left New York Tuesday morning at 10 o'clock and her freight for Atlanta will be delivered here tomorrow, less than ninety hours from the time it started.

New Orleans and Northeastern.

Mr. H. Colburn, general freight agent of the Alabama Great Southern railroad, informs the New Orleans Times-Democrat's railroad reporter that the formal opening of the New Orleans and Northeastern road would take place on the 15th of this month, at which time regular passenger trains will be put on between New Orleans and Cincinnati.

"Our time, at first, will not be very fast," said Mr. Colburn, "because our road is new, but as soon as everything is in proper shape we will run on quick schedule." He said also that the business offered the New Orleans and Northeastern road on its opening was much larger than that of the line which had only been in operation three days when the shipments were so heavy that the freight train which arrived Saturday night was run two sections. Freight at Meridian and points along the line is rapidly accumulating.

The Montgomery Railway Situation.

MONTGOMERY, Ala., November 8.—President Russell, General Superintendent Rogers, E. McIntyre, treasurer of the Georgia Central, T. D. Kline, of the Montgomery, and B. J. Hudson, director, and L. P. Grant, president of the Western railway and Atlanta and West Point railroads, and Cecil Gabbett, general manager of the latter, met at the Western railway company's office, being the first meeting and election of officers of the Western and Montgomery and Atlanta railroads to-day. No changes in officers were made. Both roads report a prosperous condition. Several of the above officers will appear before Alabama's railroad commission tomorrow for a decision of the latter also Mr. Whitehead, general freight and passenger agent of the Montgomery and Atlanta, and Mr. Clayton, of Georgia Central system.

The Walton Road.

Last Friday Major J. W. Green, general manager of the Georgia railroad, and Colonel A. D. Candier, president of the G. J. and S. railroad, met with the board of directors of the Walton railroad, in Monroe, and agreed upon terms of consolidation of the two last named roads. The G. J. and S. railroad issues its stock to the stockholders of the Walton road dollar for dollar, and gives to the Walton road stockholders eighteen thousand dollars of preferred stock in the G. J. and S. road to make the bonds of this road of the two roads equal per mile. The Walton road preserves intact its original contract with the Georgia road to deliver freight at Monroe at greatly reduced rates. By this arrangement the officers of the Walton road are abolished, and the directors give up their free passes, which they have prized so highly. The change will not go into effect until the completion of the road, which will be in about two months.

New Orleans and Atlanta.

Yesterday the Racket reporter had the pleasure of meeting Mr. Cecil Gabbett, general manager of the Alabama Western, and Atlanta and West Point railroads. Mr. Gabbett stated that the freight schedule between this city and Atlanta was being overhauled, and that changes beneficial to the shippers of this city would be made. The freight run from New Orleans to Atlanta will in the future be made in thirty-six hours. He said that the shippers were being greatly annoyed by the delay of freight at Montgomery, but after the new schedule goes into effect, which will be on the 15th of this month, freight at Montgomery will not wait more than one hour. The object of the officials is to make the schedule to Atlanta and points east as short as possible, in order to give the merchants of this city every convenience for doing business. Mr. Gabbett also informed the reporter that through freight cars fully equipped are now running between Atlanta and New Orleans, and making connection with the Morgan road for points west. In the course of conversation Mr. Gabbett said that he thought the cotton exposition at Atlanta a great help to New Orleans, and would also afford the value of the railway lines a great deal of traffic. He expressed himself as being in favor of putting on a solid train from Atlanta to New Orleans, which would consist of four or five cars. Mr. Gabbett says that the run can easily be made in fourteen hours and that the through train will do a splendid business.

Alabama Coal.

In Alabama, coal lands of the same formation rich in coal quite as good for coke makings that in Pennsylvania is now being bought up by capitalists for less than \$10 an acre, and will be quadrupled in value when these projected railroads make it accessible to market. Inexhaustible as the supply of coal, the demand is equally limited along those great waterways of the Tennessee, Ohio and Mississippi rivers on one side and the Gulf of Mexico on the other. While efforts are being made to reach the rich fields of the Tennessee river on the north, similar enterprises are under way to reach the Gulf of Mexico on the south, by the cheap water transportation down the rivers which run from near the coal fields into Mobile Bay. An Alabama exchange says: "The survey of the Warrior coal fields" railroad was commenced at Gainesville, Ala. last week. Two lines will run from Gainesville to Bridgeville, that their relative advantages may be compared. One of them will be run on the west of the Bigbee, the other on the east side. If the western route be adopted, the Bigbee will be bridged in the vicinity of Fairfield. If the route east of the Bigbee is selected, the river will be bridged in the vicinity of Fairfield. The route to the highest point of navigation on the Tombigbee, down which the coal may be shipped in barges to tidewater, is a considerable interest felt in this movement in Mobile, and the work of construction on the coal wharves in the bay has been in progress for some time. The coal demand on the gulf for steamers are absolutely limitless. The profit to be derived from the coal trade, by means of the Alabama, will be readily appreciated. All the indications point to great industrial activity in this region very soon. What has long been but a promise and a prophecy is about to become a realization.

Southern Freight Claims.

The following is from Commissioner Powers's report at the ninth annual meeting of the Southern railway and steamship association, held in Atlanta on the 24th ult:

Separate or individual action by roads is fruitful of confusion of rules or claim laws, and gives rise to many different constructions as to what the rules mean. It also creates disagreements and the promulgation of orders that act ultimately as barriers to the settlement of claims and the ready admission of said claims to credit when paid. As you all know, the lines south of Chattanooga have agreed and have maintained the claim department, which has continued to work for the good of all, as far as its means and powers could be exerted. This has been done, notwithstanding the fact that the adoption of the suggestion recommended, they will again become interested paying members of the claim department. The refusal of some lines

to protect what are known as "foreign landings," or to allow credit for claims based upon them, until authority is first obtained from initial roads, is causing much embarrassment. All claims are charged and collected before credits paid. You can see at once how soon a large sum can be scattered over the northwest, awaiting the pleasure of auditing departments and the loss of papers incident to a system that requires authority from the initial roads, on cash vouchers, before credit is allowed. The laws in most of the southern states are peremptory, and the consignee has only to present his claim and the delivering roads must pay. When said payment is made, upon well authenticated bills of lading, especially in cases of mere overcharge, why should the delivering roads be required to secure authority for the payment of a demand which is so manifest and easily audited? Reference of these bills before payment causes delay and eventualities in loss of business. My purpose is to call your attention to these matters, that you may devise remedies for existing disabilities before they become harmful and grow into grievances. There is nothing more harmful to any transportation line than delays in settling claims. If two lines exist between any two points of nearly the same capacity, and one settles these just claims promptly and the other is tardy and unreasonable in its rules and regulations, in such cases the line that settles promptly will soon get the larger share of the business. I know this from past experience. I call the attention of those interested in the claim department to this, hoping that they will take action and establish some satisfactory method of settling claims.

THE PET POODLE.

Disappearance of Favorite Canine—What Becomes of Them.

The hysterical disappearance of petted mastiffs and favored poodles from scores of West Philadelphia homes and the utter failure of the disaffected owners to discover the whereabouts of the missing animals has created pain and anguish untold. The southern part of the twenty-seventh ward, and particularly that portion nearest the University, has been remarkable for the number of a dozen blocks nearly every kind of canine known to the fancier could have been found a few weeks ago. But ladies began to miss their favorites. The most devoted scribes and the ugliest dogs of the West began to disappear, and no trace of the mysterious power that spirited them away. Even mastiffs renowned for courage and abnormally developed fangs succumbed to the unknown destroyer. The grass grew rank about the portals of a score of deserted kennels. Many of these dogs were imported and very valuable. All were family pets. There was one fact that deepened the mystery. Lean and scrawny and spiritless dogs and dogs that knew no home except the board yard or the West Point kennel, and which were white, black and well-fed and ribbon-bedded puppies disappeared, never to be seen again.

The most careful inquiries at the dog pound failed to disclose the slightest information as to the whereabouts of the missing pets. The matter was becoming serious.

"I had a valuable dog that I imported from Scotland," said a well-known business man, who lives on West Locust street. "Several weeks ago he disappeared. I had a professional hunter to look for him and did not care to lose him. I offered a reward for his return and made every effort to find him. One day I had brought me the dog's collar. He had found it back of the dissecting building at the University. You know what it means. A dog collar in front of a butcher shop. Well?"

A visit was paid on Saturday to the dissecting room of the University. "We've got it," answered a demonstrator, repeating a reporter's question. "Oh, yes. We've got it here. Through our experiments with animals we have made invaluable discoveries in materia medica. How? Very simple. Here is a drug whose properties are doubtful. It may be efficient for this or that disease, or it may not be. It certainly has some virtue. What it is science is bent upon discovering. Experiments are necessary. This is where the value of the dog to scientific research comes in. We take an animal and ply it with one drug today and another tomorrow. The effects of poison on his system are watched with careful attention and the rapidity of his pulse after losing a quart of blood noted with darning exactitude. He is the scapegoat for our experiments of the medical fraternity, and from the results obtained the human patients in the hospital profit greatly."

"The animals must suffer terribly."

"Oh, yes, I say one they do."

"And after that you cut them up?" asked the horrified reporter.

"Oh, no," laconically. "Nothing left of them by that time. But then," he continued, "your greatest success is achieved by vivisection. We have no stated time for such experiments, but whenever the pathological students seem to require it the vivisections take place."

"How many dogs are carved up alive in a year?"

"No record is kept. There may be fifty and there may be 500. Besides, we don't confine ourselves to dogs altogether. There's cats, you know—very useful, indeed, and very good subjects, and sometimes we have a goat for variety. But the dogs are the best."

"Where do you get the animals?"

"The goats come from the Alps house, the cats and dogs from—well, from almost anywhere."

"Never capture any, eh?"

"Oh heavens, no!" with a virtuous look of indignation.

"And when you are through with the subjects what becomes of them?"

Burn them."

Mr. Davis's Successor.

WASHINGTON, November 8.—A rumor was current to-day that the vacancy in the court of claims, made by the resignation of J. C. Bancroft Davis, will be tendered to Secretary Folger. The Hon. Kenneth Raynor, solicitor of the treasury, is known to be one of the most prominent applicants for the place. It is said that Judge Raynor accepted the present situation under the administration of President Hayes with the understanding that he should have the first vacancy in the court of claims. Friends of the secretary do not credit the rumor that he will be tendered the position.

Baron's Sick Elephant.

BIRMINGHAM, November 8.—Baron's \$15,000 elephant, Albert, very ill with a fever. An attempt to save him will be made by removing the cause of trouble by a surgical operation. This has never been attempted before, as the operation requires enormous incision, as the kidneys are required to be reached. Professor Boreman, of New York, and Dr. Leveid, the eminent French veterinary surgeon, think that there is a chance for a favorable result, but as Albert either is killed or cured, or under the circumstances can be kept in his present condition, the attempt will be made probably within the next fortnight.

Sharon Is a Kug.

SAN FRANCISCO, November 8.—Aggie Hill, who is suing Senator Sharon for divorce and division of property, refused in court this morning to produce the alleged marriage contract until informed by the judge that if she did not it would be ruled out as evidence, and only regarded as waste paper. She then produced it. Senator Sharon, after seeing it, denounced it as a forgery in such indignant terms that the judge ordered it to be removed from the court. The document will remain in possession of the clerk of court until a large photograph is taken.

A Question of Damages.

CINCINNATI, November 8.—The cigar makers threaten to strike on account of the demand by the manufacturers that workmen shall pay for gas used morning and evening.

Governor Butler's Last Campaign.

BOSTON, November 8.—The governor said in his closing speech at Lowell to-night: "I shall never meet you again in the position of a man soliciting votes. I never mean to make another political campaign in which I shall take part, remotely or otherwise."

REPAIRO CHEMICAL CO., PHILADELPHIA, PA.

ATLAS POWDER.

HUGH L. POWELL, Agent.

S. W. Cor. Broad and Alabama Sts., Atlanta, Ga.



ROYAL BAKING POWDER
Absolutely Pure.

This powder never varies. A marvel of purity, strength and wholesomeness. More economical than the ordinary kinds, and cannot be sold in competition with the multitude of low-test, shoddy weight, alum or phosphate powders. Sold only in cans. Wholesale by Boynton Bros., Atlanta, Ga.

GEORGIA, FULTON COUNTY.—To the superior court of said county, the petition of Hiram B. Kimball, Lorenzo B. Wheeler and John C. Kimball, show that they desire to be incorporated under the name of "H. B. Kimball, L. B. Wheeler & Co.," with a capital of twenty-five hundred dollars, with the right to increase the capital stock to fifty thousand dollars or any less amount, said capital may be paid in, either in money or property suitable or necessary for the prosecution of the business of the corporation. The object of the association and the particular business it is proposed to carry on is that of architecture, designing and engineering in all the various branches, including public and private works of every description; also, the building of private residences, mercantile, manufacturing or other establishments, and they desire the right to purchase, lease, use, hold or sell real estate and to acquire, use and sell all other property that may be needed or useful in the prosecution of said business.

The place of doing business is in the city of Atlanta, in said county, and, and such other places as may be proper and necessary. Ten per cent of the said capital stock having been paid in. The petitioners pray for the order of this court granting the petition.

HOPKINS & GLENN, Petitioners' attorneys. A true extract from the minutes of the superior court of Fulton county. C. H. STROBE, Clerk Sup'r Court. This Oct. 17, 1883.

SILVERWARE,
FOR HOUSEHOLD USE,

BIRTHDAY
AND WEDDING

PRESENTS.
LARGE STOCK

AND LOW PRICES.
Send for Catalogue.

J. P. STEVENS & CO.,
Atlanta, Ga.

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AMUSEMENTS.
OPERA HOUSE.
ONE NIGHT ONLY!
Friday, November 9th.
A DRAMATIC ROMANCE
—ENTITLED—
A MOUNTAIN PINK,
LOUISE SYLVESTER
AND
BEST COMPANY TRAVELING.
READ THE NAMES:
Frank E. Allen, Harry Hawk, Jos. J. Holland, Harry Maxwell, T. J. Langdon, Harry Toddard, Genevieve Rogers, Helen Sedgwick, Marie Lear.

BLACK MOUNTAIN QUARTETTE.
Under the management of Geo. W. Ryer. (The four quartets will have money cheerfully returned, if dissatisfied with play and company. Secure your seats at Phillips & Crews's, Nov. 4, 7, 8, 9.)

THE COMIC OPERA FESTIVAL.
Will commence on November 12th, with
CHAS. E. FORD'S
COMIC OPERA COMPANY.

When the very brightest, best and latest successful comic opera productions will be given.

Monday Evening
TUESDAY EVENING
WEDNESDAY MATINEE
WEDNESDAY EVENING

Will be presented for the first time in this city Mr. F. C. Barnard's (the editor of Punch) magnificent successful opera, entitled
BLUE BEARD.
Or, The Hazard of the Dice.
Washington Irving's Legendary (day) of the Catskills, set to music by Planquette, entitled
RIP VAN WINKLE.
Gilbert and Sullivan's latest success,
LOLANTHE.
Buccolli's latest London success,
GIROLA.
Or, The Miller's Bride.

Usual prices. Reserved seats, 25 cents extra, at Phillips & Crews's. 6, 7, 8, 9, 10, 11, 12, 13.

A. B. ANDREWS
Is now offering the most desirable line of

FALL & WINTER
OVERCOATS.
—THE—
NOBBIEST LINE OF SUITS,
AND THE LARGEST STOCK OF
UNDERWEAR!
NECKWEAR
—AND—
CARDIGAN JACKETS
—IN THE CITY AT—
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Central and Southwestern Railroad.

SAVANNAH, GA., September 15, 1883.

On and after SUNDAY, Sept. 16, 1883, passenger trains on the Central and Southwestern railroads and branches will run as follows:

READ DOWN.

10:00 a.m. Lv. Savannah. Lv. 7:30 p.m.
4:45 p.m. Ar. Augusta. Ar. 6:15 a.m.
11:15 p.m. Ar. Macon. Ar. 3:00 a.m.
3:58 a.m. Ar. Columbus. Ar. 1:50 p.m.
2:04 a.m. Ar. Atlanta. Ar. 4:05 p.m.
11:46 a.m. Ar. Atlanta. Ar. 4:10 p.m.
Ar. Macon. Ar. 12:20 a.m.
Ar. Savannah. Ar. 12:30 p.m.

10:16 p.m. From Savannah. No. 18. No. 20.
8:30 a.m. Lv. Savannah. Lv. 10:30 a.m.
3:45 p.m. Ar. Savannah. Ar. 8:00 a.m.
6:15 p.m. Ar. Macon. Ar. 3:00 a.m.
11:15 p.m. Ar. Atlanta. Ar. 4:05 p.m.
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11:15 p.m. Ar. Atlanta. Ar. 4:05 p.m.
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Ar. Savannah. Ar. 12:30 p.m.

10:16 p.m. From Savannah. No. 18. No. 20.
8:30 a.m. Lv. Savannah. Lv. 10:30 a.m.
3:45 p.m. Ar. Savannah. Ar. 8:00 a.m.
6:15 p.m. Ar. Macon. Ar. 3:00 a.m.
11:15 p.m. Ar. Atlanta. Ar. 4:05 p.m.
3:58 a.m. Ar. Columbus. Ar. 1:50 p.m.
2:04 a.m. Ar. Atlanta. Ar. 4:05 p.m.
11:46 a.m. Ar. Atlanta. Ar. 4:10 p.m.
Ar. Macon. Ar. 12:20 a.m.
Ar. Savannah. Ar. 12:30 p.m.

10:16 p.m. From Savannah. No. 18. No. 20.
8:30 a.m. Lv. Savannah. Lv. 10:30 a.m.
3:45 p.m. Ar. Savannah. Ar. 8:00 a.m.
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3:58 a.m. Ar. Columbus. Ar. 1:50 p.m.
2:04 a.m. Ar. Atlanta. Ar. 4:05 p.m.
11:46 a.m. Ar. Atlanta

—AT—
MR. BRIDE'S CHINA PALACE
HAMMERED BRASS LAMPS, ELEGANT CHINA,
CUTLERY, CROCKERY, LAMPS, MIR-
RORS, CHANDELIERS, SPOONS, FORKS
CASTORS, STATUARY, HOUSEFURNISHING
GOODS, BEST THOMAS CLOCKS, SHOW
CASES. LARGEST STOCK, FINEST
GOODS, LOWEST PRICES IN THE SOUTH.
—AT—
MR. BRIDE'S CHINA PALACE
SAVE MONEY
BY BUYING YOUR
DIAMONDS, WATCHES, JEWELRY
—OF—
A. F. PICKERT

No. 5 WHITEHALL ST., ATLANTA, GA.
The largest stock of the finest Silver-plated Ware
will be found at No. 5 Whitehall street. There are
of the celebrated Wenden Britannia Company's
make and guaranteed to give satisfaction for twenty
years' wear. Do not fail to see these goods before
buying. Remember the place.
A. F. PICKERT,
No. 5 Whitehall Street.

COTTON AND WEATHER.
Cotton—Middling uplands closed in Liverpool
yesterday at 5 1/2-16; New York at 10 1/2; in Atlanta
at 9 13-16.

Daily Weather Report.
OBSERVER'S OFFICE, SIGNAL CORPS U. S. A.,
U. S. CORPS HEADQUARTERS, ATLANTA, GA.
All observations taken at the same moment of
time at each place named.

| NAME OF STATION. | Barometer. | Thermometer. | Wind. | Weather. |
|------------------|------------|--------------|----------|-----------|
| Atlanta | 30.11 | 65 | S. Fresh | 00 Clear. |
| Augusta | 30.12 | 62 | S. Fresh | 00 Clear. |
| Galveston | 29.91 | 74 | S. Fresh | 00 Clear. |
| Indianapolis | 29.91 | 74 | S. Fresh | 00 Clear. |
| Key West | 30.07 | 71 | S. Fresh | 00 Clear. |
| Mobile | 30.06 | 67 | S. Fresh | 00 Clear. |
| Montgomery | 30.05 | 69 | S. Fresh | 00 Clear. |
| New Orleans | 30.02 | 64 | S. Fresh | 00 Clear. |
| Pensacola | 30.00 | 70 | S. Fresh | 00 Clear. |
| Palm Beach | 29.91 | 73 | S. Fresh | 00 Clear. |
| Savannah | 30.11 | 66 | S. Fresh | 00 Fair. |

LOCAL OBSERVATIONS.
Time of observation.
6:31 a.m. 30.11 65 S. Fresh 00 Clear.
10:31 a.m. 30.12 62 S. Fresh 00 Clear.
2:31 p.m. 30.07 71 S. Fresh 00 Clear.
6:31 p.m. 30.06 67 S. Fresh 00 Clear.
10:31 p.m. 30.05 69 S. Fresh 00 Clear.
Mean daily bar. 30.10 Maximum therm. 74.0
Minimum therm. 64.0 Minimum wind 0.0
Total rainfall. 0.0

Our New Improved
Which is rapidly sur-
passing all others
in every respect
Send for Catalogue
J. P. Stevens
Watch Co.
Atlanta, Ga.

MEETINGS.
Attention Knights Templar.
There will be a special convocation of the Grand Lodge
Commandery No. 4, K. T., to-night at 7:30 o'clock
sharp, at their Assembly, corner Bond and Marietta
streets, 4th floor. Work in the order of Red Cross,
and matters of importance to be considered. A full
attendance of members is desired and expected.
and visiting Knights are very cordially invited
to attend.
A. G. HOWARD, Commander.
B. F. MOORE, Recorder.

**THE GREAT SAUCE
OF THE WORLD.**
LEA & PERRINS
Imports the most delicious taste and health-
ful EXTRACT.
of a LETTER from a
MEDICAL GEN-
TLEMAN at Gen-
tlemen, to his brother
at Worcester,
May 1881.
"LEA & PERR-
INS that their
sauce is highly re-
commended in India
and is in my opin-
ion the most palat-
able, as well as the
most wholesome
sauce that I know of."
Signature is on every bottle of GENUINE
WORCESTERSHIRE SAUCE.
Sold and used throughout the world.
JOHN DUNCAN'S SONS,
AGENTS FOR THE UNITED STATES
NEW YORK
AT THE CITY PRISON.

A Few Facts Gathered from the Police Force at Hol-
liday.
Mr. Wm. Turner, of the penitentiary system,
reached the city last night with a half dozen con-
victs, who are en route to the coal mines. Among
the convicts is Dick Fambro, the colored divine.
Fambro goes up for life for murder. About a year
ago Fambro killed his wife in Jones county. The
only witnesses were his two children. By
threats he made them testify that their
mother had killed herself, and Fambro went un-
molested, as a verdict of suicide was rendered by
the coroner's jury. Subsequent to his wife's un-
timely and tragic death Fambro came to Atlanta
and began preaching. One of his children told
the true story, and Captain Bessy getting wind of
it, soon had Fambro in jail. He was taken back to
Jones county, where he was recently tried for murder,
convicted and sentenced for life.
About midnight a negro was found secreted
in Saul's basement on Whitehall street. The negro
was kicked out.

PERSONAL.
Mr. P. G. Burns, of Dayton, Ohio, is at the Mark-
ham.
Mr. Jerry Lynch, who has been quite ill for some
days, was out yesterday looking much better.
Mrs. ex-Governor James F. Robinson, of George-
town, Ky., is spending a few days at the residence
of her daughter, Mrs. Henry R. Powers, No. 12
Houston street.
The sixth annual session of the Protestant Metho-
dist church (colored) of the Georgia district con-
vened on the 7th at Benge's chapel, on Markham
street, and will continue until Saturday evening.
Dr. J. P. Huntley, dentist, has removed his office
from 25 1/2 Peachtree street to his private residence
at 61 West street.

CHAMBERLIN, BOYNTON & CO.

attention to the handsome stock of
DRESS GOODS in Wool Fabrics. DRESS GOODS in Plain Velvets. DRESS GOODS in Brocade Velvets.
CLOAKS, CIRCULARS, NEW MARKETS, TAILOR COATS, ETC.—SPECIAL BARGAINS THIS WEEK
BIGGEST STOCK CARPETS SOUTH AT PRICES BEYOND COMPETITION.
SHOES! SHOES!—FOR LADIES, GENTS AND CHILDREN, ALL STYLES AND THE VERY BEST!
Please examine our several departments. We offer best goods and guarantee prices.
CHAMBERLIN, BOYNTON & CO.
AGENTS FOR BUTTRICK'S PATTERNS.

BRIDAL PRESENTS

French China, English China; Old Style Dinner Sets; China for decorating. Lamps of
endless variety. Chandeliers at prices that defy competition.
HOTEL SUPPLIES A SPECIALTY.
DOBBS & BROTHER,
53 PEACHTREE ST., ATLANTA, GA.
N. B.—Merchants will save money by pricing our goods before purchasing elsewhere.

ART GOODS

French beveled Mirrors in plain white wood
frames, for decorating. New and elegant
PICTURE FRAME MOUNTINGS.
ARTISTIC GOLD, BRONZE
AND VELVET FRAMES.
And the finest assortment of STEEL ENGRAVINGS
ever in Atlanta.
D. C. PITCHFORD,
Successor to
LOVEJOY & PITCHFORD,
28 Whitehall Street.
E. L. WINHAM,
THE
JOB PRINTER
Can be found at LYNCH & LESTER'S Bookstore
No. 7 Whitehall Street.

THE BEST AND MOST DURABLE PIANOS

From GUSTAVE SATTER the renowned Pianist and
Composer, Honorary Member Royal Academy of
Sweden, New York, December 18, 1876.
Messrs. KRANCK & BACH.
Gentlemen:—After having severely tested your
pianos, and especially your Grand Piano, I
have come to the conclusion that I consider your
pianos the only ones in America whose mechanism
adequately to the one introduced by the world re-
nowned house of Erard, in Paris, and which has
been pronounced the "Pia Vite" of pianists during
the last fifty years. I sincerely wish that you will
continue the manufacture of your excellent instru-
ments on the same principle, as it is the only valu-
able one for true artists and concert performance.
Truly yours,
F. L. FREYER
27 Whitehall Street,
WHOLESALE SOUTHERN AGENT.
Factory Nos. 235, 237, 239, 241 and 243 East 23d St.,
New York.

POSITIVE FACTS.

Never has there been such a rush to any house in
Atlanta as to the house of Duffy last week. We sold
over 40 barrels of flour in 5 days. The rush was so
great we thought we would have to keep the
people out. This may seem strange to some people,
but it is a positive fact. And why should it be
strange? We have twelve men employed every
day in the week, and we should have sold more
if we had support sixty people who live and breathe
the fresh air of one of the finest cities in the great
country of ours. Our store is thirty by two hun-
dred feet, filled with twenty-five thousand dollars
worth of the finest groceries that this and foreign
countries can afford. We stop at nothing. We are
continually adding to our stock, until now we have
got the most complete stock of groceries that has
ever been in any single store in America. Pastry,
Dainties, of New York, not excepted. A few years
ago Duffy and Duffy flung their banner to the breeze
with everything against them and nothing in their
favor but a good name, and that we have guarded
as a mother would her babe; and now the name
of Duffy and Duffy is a by-word in every house in
Atlanta. When we first opened our store we were
like two babies who had not commenced to walk.
The people rallied to our assistance, and we com-
menced to walk and now we stand alone at the
head of one of the largest retail grocery businesses
in the South.
We have just received a very large stock of the
following goods: Seedless Raisins, London Layers,
Cherries, Prunes, all kinds of London Layers,
Figs, Prunelles, Oranges, Grapes, Imported German
Pickles, Quail on Toast, China Soy, Mushrooms,
Prince Albert Sausages, Norfolk Cysters, seventy-five
kinds of Cakes, Pumpernickel Imported German
Cakes, French Cheese, Pineapple Cheese, Eidam
Cheese, Sappago Cheese, Swiss Cheese, Parmen
Cheese, grated, Sweet Sugar Corn, Walnut Tomatoes,
Worcestershire and Mushroom Sauces, White Wax
Cherries, California Apples, Apricots, and many
kinds of Jams, Preserves, Jellies and Fruit Butters,
fresh Guavas, Curry Powders, Celery Salt, Imported
Dutch Herrings, Kofka Sausages, seven kinds of
Loaf Sugar, Terrine Potatoes, Queen Olive, Sara-
toga Chips, Potluck Mackerel, Dried Raspberries,
Pitted Cherries, Pitted Plums, Evaporated Peas,
Dried Blackberries, Imported Boned Sardines,
Imported Chocolate, Imported Candy, Imported
Cocoa Oil, Endless Hobbies in cans, Maple Syrup,
Sugar House Syrup, N. O. Syrup, English Island
Syrup, Cuba Syrup, Buckwheat, Oatmeal, Sapp, A.
Millet Rose, and anything you can call for in the
grocery line. Imported Wine and Brandy.
DOHME & DIFFY,
28 Whitehall Street.

FOR SALE.

CLOVEHURST FARM.
ATHENS, GEORGIA.
OWING TO FAILURE OF HEALTH OF MR. J. A.
Meeker he has authorized me to offer for sale his
beautiful farm in and adjacent to this city.
The farm consists of 130 acres, most of which is in
the highest possible state of cultivation, the yield
of crops only equaled perhaps by Colonel Furman,
of Middleburg. It is set in lucerne, 10 acres in
clover and a fine young orchard of several hundred
red bearing trees, about 30 acres of timber land on
the tract. The dwelling is new and built in the
best manner, verandas on all sides with plenty of
room; the house is a marvel of convenience, com-
fort and neatness. The barn is the finest in the
state and contains a cotton cleaner, gin, hydraulic
cotton and hay press, and farm machinery of all
kinds and of good water. There are horses, mules
and an acclimated herd of Jersey cattle on the
place. The situation is the most beautiful and de-
sirable in Georgia, or the south. In other words it is
as near an earthly paradise as to be found, any-
where. Price \$20,000, one third cash and balance
easy. Call on or address
J. S. WILLIFORD, R. E. A.

\$100 REWARD,

"G" is Popular
because those who have used it speak
of its highly curative qualities.
There are no complications in its use,
it contains no poison or hurtful ingre-
dients, and it is taken inwardly and
it cures. It cannot cause stricture.
So positive are we of Injection "G"
that we will give a reward of \$100
GONORRHEA or GLEET that the above
reward is offered for any such case
which will be cured.
Manufactured only by J. S. Evans & Co., Cin-
cinnati, Ohio. Sold by druggists.

HIRSCH BROS

OUR STOCK IS NOW FULL AND COMPLETE
BUSINESS AND DRESS SUITS
AND OVERCOATS
EQUAL TO CUSTOM-MADE GOODS AND AT
ROCK BOTTOM PRICES
HIRSCH BROS.
42 AND 44 WHITEHALL STREET, ATLANTA



KENNESAW ROUTE

WESTERN AND ATLANTIC RAILROAD
The following Time Card in effect Sunday, Octo-
ber 28, 1883:
NORTH BOUND.
Leave Atlanta 7:30 am
Arrive Marietta 8:20 am
" Carversville 9:20 am
" Dalton 11:20 am
" Chattanooga 1:00 pm
Leave Atlanta 2:35 pm
Arrive Marietta 3:25 pm
" Carversville 4:25 pm
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